



CITY OF ST. LOUIS  
**PLANNING & URBAN  
DESIGN AGENCY**  
FRANCIS G. SLAY, Mayor

File No. PDA-091-15-ZTX

**To:** City of St. Louis Planning Commission

**From:** Don Roe, Director

**Subject:** Resolution for Initiation and Recommendation of Zoning Text Change / Amendment, pertaining to the regulation of home occupations in the Zoning Code and related Recommendation of Change / Amendment to business taxes for home occupations.

**Date:** August 28, 2015

## Summary

The goal of this change / amendment is to reduce City barriers to entry for small home-based businesses by reducing the overall cost and delays associated with registering home occupations under existing ordinances.

By this resolution the Planning Commission recommends the initiation of and approval on an amendment/change of the Zoning Code text. The proposed amendment **1)** repeals the Zoning Code as codified in Section 26.080.060 and enacts new provisions pertaining to permitted home occupations; and **2)** repeals the Zoning Code as codified in Section 26.98 and enacts a new chapter pertaining to zoning fee schedules.

This resolution also recommends repeal of Section 8.07.042(A) and 8.07042(B) of the Revised Code and enacts new provisions pertaining to registration in lieu of business license fees for home occupations.

## Recommended Action

That the Planning Commission **initiates** an amendment/change of the Zoning Code and **recommends approval** of the Zoning Code amendment – as detailed and in substantially the same form as in the attached draft Board Bill identified as Exhibit “A” - to the Board of Aldermen of the City of St. Louis. These changes to the text of the Zoning Code are straightforward in that they

- 1) replace existing Paragraphs A, B, C, D and E of Section 26.80.060 of the Zoning Code with new Paragraphs A, B, C and D in order to reduce the time and number of occasions that a home occupancy applicant has to go to a conditional use hearing as well as reduce the cost associated with registering a small home-based business, while improving requirements that protect residents
- 2) replace the existing zoning fee schedule of Section 26.98.010 with a schedule raising the Home Occupancy Waiver fee to cover more staff time and costs associated with the process of taking Home Occupancy Waivers live on the City’s permit website, making it more convenient for the public to start a new business or grow an existing business.

The Commission also **recommends approval** of the related amendment/change to replace Paragraphs A and B of Section 8.07.042 of the Revised Code for the registration in lieu of business license fees for home occupations (raise the taxpayer’s allowed gross earnings attributable to a home occupation from \$20,000 to \$100,000 and lower the home occupancy registration fee from \$50.00 to \$25.00).

## 1.0 Background

A working group of Alderman Scott Ogilvie, Alderwoman Lyda Krewson, the Building Commissioner, the Zoning Section, and the Mayor's Office worked with the City Counselor's Office to produce this recommended Zoning Text Change / Amendment to the Zoning Code (Title 26.80.060 & 26.98) and recommended change to home occupations in lieu of business license fees (Title 8.07.042). The City Counselor's Office and the Zoning Administrator drafted the proposed amendment/change Board Bill, co-sponsored by Alderman Scott Ogilvie, Aldermen Shane Cohn and John Coatar (Exhibit "A").

### Working Group Concerns

The current upfront cost structure deters some residents who engage in part-time self-employment from complying with the existing ordinances and therefore represents a barrier to entry for small home-based businesses. The intent of the attached Board Bill is to reduce those barriers by reducing the overall cost and processing time for many residents of obtaining a business license for a home occupation. The current typical fee structure is about \$270 (\$200 for annual Graduated Business License Tax, \$50 for conditional use hearing and \$20 for home occupancy waiver).

Allowing more residents to avoid going to a Conditional Use hearing (\$50 cost and four to six week wait time) will create a resident friendly environment for self-employed people. Digital technology has made it cheaper and more convenient to do more types of work from home. Self-employed and home office uses are unlikely to cause disruptions to the character of a residential neighborhood. Presently, most conditional uses for home office use are approved with an identical set of restrictions. The new subsection A includes those typical conditions without going through a hearing process.

The second part of the proposed ordinance expands on the Home Occupation section of Chapter 8, which allows certain home occupations to "opt out" of the Graduated Business License Tax and pay a lower annual fee. The two parts of the bill work in tandem to reduce the cost and time associated with registering small home-based businesses and self-employment occupations, without allowing potentially disruptive uses in a residential neighborhood.

### Comparison of Existing and Proposed Text

The proposed text of the Board Bill (Exhibit "A") differs from the existing text from the Municode (Exhibit "B") in the following ways:

- 1) The present negative "*No home occupation shall be a permitted that (list of requirements)*" is replaced by positive proposed language "*Home occupation shall be permitted if the following requirements are met*".
- 2) The present subsection B, which is totally omitted from the proposed text, states "*The following are permitted occupations provided that they do not violate any of the provisions of the previous paragraph (list of requirements discussed in #1 above)*". While the list of nine (9) home occupations categories attempted to include most acceptable home occupations, it misses the increasing number of newly created home occupations and old occupations made more acceptable by technology.
- 3) The present subsection D sends home occupations not specifically mentioned in subsection B, including many newly created occupations, through the time consuming conditional use process.
- 4) The proposed text permits newly created occupations that meet the requirements of Subsection A to avoid the time and cost of an unnecessary conditional use process.

- 5) The proposed text requires home occupations not prohibited by the new Subsection B, but not able to necessarily comply with the requirements of the new Subsection A to seek conditional use approval. In addition, the proposed text specifically mentions three categories of home occupations that will be required to go through the conditional use process.
  - Home cooking, preserving or processing of food for resale,
  - Home daycares, and
  - Recording and film studios
- 6) Improves and updates the list of requirements for home occupations that protect residents, such as:
  - Not change the primary use of house from residential,
  - Not generating traffic, parking, sewage, refuse, water use, noise, dust, odors, or vibrations in excess of what is normal in a residential neighborhood,
  - Not involve storage of flammable or hazardous materials,
  - Not have storage or display any occupation-related equipment, outside the home,
  - Applicant of the home occupation resides at the home,
  - Does not regularly and routinely accept customers, clients, or the general public into the home,
  - Does not regularly and routinely advertise, solicit or invite customers, clients, or the general public to the home,
  - Home Occupancy is within a property with a valid Certificate of Inspection, and
  - Home Occupancy and the property remain in compliance with all city laws.
- 7) Improves the list of prohibited home occupations by adding the following:
  - Boarding facilities, including kenneling and day care, and
  - Sales and leasing of new or used autos and auto detailing and washing.
- 8) The existing zoning fee schedule of Section 26.98.010 is being replaced with a fee schedule that raises the Home Occupancy Waiver fee from \$20.00 to \$50.00 to cover more staff time and costs associated with the process of taking Home Occupancy Waivers live on the City's permit website, making it more convenient for the public to start a new business or grow an existing business.
- 9) The change/amendment to replace Paragraphs A and B of Section 8.07.042 of the Revised Code enacts new provisions pertaining to registration in lieu of business license fees for home occupations that:  
**1)** raise the taxpayer's allowed gross earnings attributable to a home occupation from \$20,000 to \$100,000 and **2)** lower the home occupancy registration fee from \$50.00 to \$25.00. These changes will greatly reduce business license fees (currently about \$200.00) for smaller home businesses.

## 2.0 Comments

The City of St. Louis has experienced a substantial increase in home based businesses. The U.S. Census reports the percentage of City residents working from home nearly doubled from 1.74 % in 2000 to 3.27 % in 2013. In order to compete in the business market place in an effective manner, the City must update its regulation process for **1)** granting home occupancy waivers for many home based businesses and **2)** issuing conditional use permits to the small portion of home occupancies that don't meet the proposed and improved list of requirements.

Many new types of businesses are neither on the present list of permitted home occupations in subsection B nor on the present list of prohibited home occupations in subsection C. Under the present procedures, the large number of such unlisted home occupation business in subsection B, are sent through the Conditional Use Process via subsection D and face delays and increased cost of starting a home based business.

The additional and improved requirements in the new subsection A represent a rigorous yet reasonable standard for permitting home occupancies. Under the proposed procedures home occupancies that follow the requirements in the new subsection A, and are not prohibited in new subsection B, shall be permitted home occupancies that receive a home occupancy waiver. Home occupancies not prohibited under new subsection B that are in conflict with the requirements listed in new subsection A, shall use the conditional use process of new subsection C.

The related amendment/change to replace Paragraphs A and B of Section 8.07.042 of the Revised Code for the registration in lieu of business license fees for home occupancies allows certain home occupancies to avoid the Graduated Business License Tax and pay a lower annual fee.

PDA Staff finds the amendment to the Zoning Code / zoning text change pertaining to home occupancy and the amendment / text change pertaining to in lieu of business license fees to be in conformity with the goals and intentions of the Strategic Land Use Plan. PDA staff recommends **approval of the proposed Board Bill**.

## **2.1 Public Input**

The Housing, Urban Design and Zoning (HUDZ) Committee of the Board of Alderman will conduct a public hearing as part of the ordinance process.

## **2.2 Previous Commission Action**

At the September 2011 meeting, the Planning Commission recommended text edits to the Board of Aldermen pertaining to the home occupancy section drafted by City staff (PDA-063-11-ZTX). The proposed edits were not as comprehensive in scope as these recommendations. The related Board Bill never found a sponsor.

## **2.3 Requested Action**

Section 26.92.010 of the City of St. Louis Revised Code requires that any amendment or change in the boundaries or regulations of the Zoning Code shall be initiated by motion of the Planning Commission or by the filing of a petition with the Zoning Administrator by the owner or owners of the property within the district.

City of St. Louis Ordinance # 64687, Section 8, Sub-Paragraph 1, as codified at Section 3.48.070(A) of the City of St. Louis Revised Code states that the Planning Commission shall be the official planning agency for the City. It shall also be the zoning commission for the City and perform all functions required by applicable state law to be performed by a municipal zoning commission.

City of St. Louis Ordinance #64687, Section 8, Sub-Paragraph 4, as codified at Section 3.48.070(D) of the City of St. Louis Revised Code states that the Planning Commission shall recommend changes in the zoning ordinances and zoning district maps to the Board of Aldermen. No ordinance changing the zoning ordinances and zoning district maps shall be adopted over the negative recommendation of the Planning Commission, unless approved by a majority vote of all members of the Board of Alderman.

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## Requested Recommendation

That the Planning Commission **initiates** an amendment to the Zoning Code (text change) pertaining to reducing the time and cost associated with registering a home occupation in the Zoning Code and **recommends approval** of the Zoning Code amendment – as detailed and in substantially the same form as in the attached draft Board Bill identified as Exhibit “A” -- to the Board of Aldermen of the City of St. Louis and **recommends approval** of the related amendment/change to registration in lieu of business license taxes for home occupations.

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NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF ST. LOUIS PLANNING COMMISSION AS FOLLOWS:

1. An amendment of Chapter 26.80.060 to replace existing Paragraphs A, B, C, D and E with new Paragraphs A, B, C and D (to reduce the time and costs associated with registering a home business while improving requirements that protect residents), and an amendment of Chapter 26.98.010 (to replace the existing zoning fee schedule for Home Occupancy Waivers), of the City’s Zoning Code as detailed in Exhibit “A”, is hereby initiated.
2. An amendment of Chapter 26.80.060 to replace existing Paragraphs A, B, C, D and E with new Paragraphs A, B, C and D (to reduce the time and costs associated with registering a home business while improving requirements that protect residents), and an amendment of Chapter 26.98.010 (to replace the existing zoning fee schedule for Home Occupancy Waivers), of the City’s Zoning Code as detailed in Exhibit “A”, is hereby recommended for approval.
3. An amendment of Section 8.07.042 of the City’s Revised Code enacting new provisions pertaining to registration in lieu of business license fees for home occupations (to raise the taxpayer’s allowed gross earnings attributable to a home occupation and lower the home occupancy registration fee) is hereby recommended for approval.
4. The Director of the Planning and Urban Design Agency of the City of St. Louis is hereby directed to notify the Board of Aldermen of the City of St. Louis of this recommendation.

# Exhibit A

**BOARD BILL NO. 109                      INTRODUCED BY ALDERMAN SCOTT OGILVIE,  
ALDERMAN SHANE COHN, ALDERMAN JOHN COATAR**

1            An Ordinance recommended by the Planning Commission of the City of St. Louis  
2            pertaining to the regulation of home occupations in the Zoning Code; repealing Ordinance  
3            Number 59979, Section Twenty-One, in part, as codified in Section 26.80.060 of the Revised  
4            Code of the City of St. Louis, and enacting new provisions pertaining to permitted home  
5            occupations; repealing Section Three of Ordinance Number 69084, as amended by Ordinance  
6            Number 69199, as codified in Chapter 26.98 of the Revised Code of the City of St. Louis, and  
7            enacting a new chapter pertaining to Zoning fee schedules; repealing Sections One and Two of  
8            Ordinance Number 62617, as codified in Sections 8.07.042(A) and 8.07.042(B) of the Revised  
9            Code of the City of St. Louis, and enacting new provisions pertaining to registration in lieu of  
10           taxes for home occupations; containing a severability clause and an effective date.

11           **WHEREAS**, the City of Saint Louis is home to creative people, entrepreneurs, and  
12           businesses of every size who seek to comply with the law while growing their business and  
13           serving their customers; and

14           **WHEREAS**, the creativity, diversity, and ingenuity of the people of the City of Saint  
15           Louis should be allowed to flourish without unnecessary red tape, over-regulation, or arcane,  
16           out-dated laws; and

17           **WHEREAS**, the City of Saint Louis's current laws regulating home occupations restrict  
18           the available home occupations to a list of specified occupations, but a more dynamic law would  
19           be better able to adapt to a changing city and emerging businesses; and

20           **WHEREAS**, it is a priority of the City of Saint Louis to make it as easy as possible for  
21           people to start a new business and to grow an existing business, while ensuring that necessary  
22           and reasonable public health, safety, and quality of life protections remain in place; and

23           **WHEREAS**, it is in the best interests of the City of Saint Louis that the regulation of

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**Board Bill No. 109**

**Sponsored by: Alderman Scott Ogilvie,  
Alderman Shane Cohn, Alderman John Coatar**

**BOARD BILL NO. 109**                      **INTRODUCED BY ALDERMAN SCOTT OGILVIE,  
ALDERMAN SHANE COHN, ALDERMAN JOHN COATAR**

1    home occupations be reformed;

2    **BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:**

3            **SECTION ONE.** Section Twenty-One of Ordinance 59979, in part, as amended by  
4    Section Two of Ordinance Number 69084, as codified in Section 26.80.060 of the Revised Code  
5    of the City of St. Louis, is hereby repealed and replaced with the following:

6    **26.80.060 - Home occupations.**

7    A.     Home occupations shall be permitted if the following requirements are met:

8            1.     The home occupation does not change the outside appearance of the residential  
9    dwelling;

10          2.     The home occupation does not change the primary use of the home from  
11    residential;

12          3.     The home occupation does not generate traffic, parking, sewerage, refuse, water  
13    use, noise, dust, odors, or vibrations in excess of what is normal in a residential neighborhood;

14          4.     The home occupation does not create a hazard to person or property, result in  
15    electrical interference, involve the storage of flammable or hazardous materials, become a public  
16    or private nuisance, or is not classified by the City as a nuisance property pursuant to Ordinance  
17    Number 69730 or its successor ordinances;

18          5.     The home occupation does not have storage or display any occupation-related  
19    equipment, including vehicles that openly display occupation-related equipment, outside the  
20    home;

21          6.     The home occupation does not regularly and routinely employ anyone who is not  
22    also a resident of the home to perform work inside the home;

23          7.     The applicant of the home occupation resides at the home;

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**Board Bill No. 109**

**Sponsored by: Alderman Scott Ogilvie,  
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**BOARD BILL NO. 109**

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ALDERMAN SHANE COHN, ALDERMAN JOHN COATAR**

- 1           8.       The home occupation does not display a sign;
- 2           9.       The home occupation does not regularly and routinely accept customers, clients,
- 3 or the general public into the home;
- 4           10.      The home occupation does not advertise, solicit or invite customers, clients, or the
- 5 general public to the home;
- 6           11.      The home occupation is within a property with a valid Certificate of Inspection
- 7 pursuant to Chapter 25.56 of the Revised Code of the City of St. Louis;
- 8           12.      The home occupation and the property remain in compliance with all city laws,
- 9 rules, and regulations.
- 10    B.       The following are prohibited as home occupations:
- 11           1.       Animal clinics and boarding facilities, including kenneling and day care;
- 12           2.       Dancing Schools;
- 13           3.       Doctor and dentist offices;
- 14           4.       Mortuaries;
- 15           5.       Stables or kennels;
- 16           6.       Private clubs;
- 17           7.       Repair shops;
- 18           8.       Restaurants;
- 19           9.       Tourist homes;
- 20           10.      Automobile repair or paint shops, sales and leasing of new or used autos and auto
- 21 detailing and washing.

- 22    C.       The following home occupations shall be considered a conditional use that may be
- 23 allowed subject to the provisions of Section 26.80.010 of the Revised Code of the City of St.

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**Board Bill No. 109**

**Sponsored by: Alderman Scott Ogilvie,  
Alderman Shane Cohn, Alderman John Coatar**

**BOARD BILL NO. 109**                      **INTRODUCED BY ALDERMAN SCOTT OGILVIE,  
ALDERMAN SHANÉ COHN, ALDERMAN JOHN COATAR**

1     Louis:

- 2            1.     Home cooking, preserving or processing of food for resale;  
3            2.     Home daycares;  
4            3.     Recording and film studios;  
5            4.     Any proposed home occupancy that is not specifically prohibited by Subsection B  
6 of this Section, but cannot comply entirely with the standards contained in Subsection A of this  
7 Section.

8     D.     A fee, set forth in Chapter 26.98, shall be due at the time an application is made for a  
9 home occupancy waiver.

10           **SECTION TWO.** Section Three of Ordinance Number 69084, as amended by  
11 Ordinance Number 69199, as codified in Chapter 26.98 of the Revised Code of the City of St.  
12 Louis, is hereby repealed and replaced with the following:

13     **26.98 - Fee Schedule.**

14     **26.98.010     Schedule enumerated.**

15           The following non-refundable fees shall be paid by the requesting party prior to any  
16 action being taken by the city in connection with zoning services:

17

<b>SERVICE</b>	<b>FEE</b>
Front Yard Survey	\$25.00
Rezoning Petition	\$250.00
Appeal to the Board of Adjustment	\$200.00
Conditional Use	\$50.00
PUD (Planned Unit Development)	\$500.00*
CUP (Community Unit Plan)	\$500.00*
Amendment of a CUP	\$300.00

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**Board Bill No. 109**

**Alderman Shane Cohn, Alderman John Coatar**

**Sponsored by: Alderman Scott Ogilvie,**

**BOARD BILL NO. 109                      INTRODUCED BY ALDERMAN SCOTT OGILVIE,  
ALDERMAN SHANE COHN, ALDERMAN JOHN COATAR**

SPD (Signage Plan District)	\$300.00
Home Occupancy Waiver	\$50.00
Zoning Letters	\$25.00
Signature Verification of Plat & Petitions	\$475.00
Incidental Business Waivers	\$20.00
Form-based district application fee	\$500.00

2

3     \*\$500.00 for the first acre, \$250.00 for each additional acre or fraction thereof

4             **SECTION THREE. Registration in lieu of tax.** Sections One and Two of Ordinance  
5     Number 62617, as codified in Sections 8.07.042(A) and 8.07.042(B) of the Revised Code of the  
6     City of St. Louis, are hereby repealed and replaced with the following:

7     **8.07.042         Home occupation—Registration in lieu of tax.**

8             A. Any person or taxpayer operating a home occupation that is permitted by and meets  
9     the requirements of the Zoning Code of the City of St. Louis may apply to the License Collector  
10    for designation and registration as a home occupation operator. Such designation and  
11    registration shall be granted for a one year period and be renewable each year on an annual basis  
12    if and only if the person or payer meets the following conditions: (1) The application is  
13    accompanied by: (a) a copy of a home occupation waiver issued by the Zoning Administrator,  
14    (b) a copy of the E-234 Business Earnings Tax Form filed by the taxpayer with the Collector of  
15    Revenue for the preceding calendar year, (c) a written statement of clearance certifying that no  
16    current or past earnings and/or personal property taxes are due and payable to the City; and (2)  
17    said Form E-234 demonstrates that the taxpayer's gross earnings attributable to such home  
18    occupation for said preceding calendar year are less than one hundred thousand dollars  
19    (\$100,000); provided, however, that taxpayers who were not required to file Form E-234 for the  
20    preceding calendar year due to the fact that their business did not then exist shall be eligible for

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**Board Bill No. 109**

**Sponsored by: Alderman Scott Ogilvie,  
Alderman Shane Cohn, Alderman John Coatar**

**BOARD BILL NO. 109**                      **INTRODUCED BY ALDERMAN SCOTT OGILVIE,  
ALDERMAN SHANE COHN, ALDERMAN JOHN COATAR**

1    designation as home occupation operators without filing the E-234 form for that calendar year  
2    only.

3            B. Upon designation as a home occupation operator, the operator shall pay, in lieu of the  
4    graduated business license tax, a home occupation registration fee in the amount of twenty-five  
5    dollars (\$25.00). Upon payment of the registration fee, the operator shall be issued a certificate  
6    of registration by the License Collector that shall be maintained at the home occupation  
7    premises.

8            **SECTION FOUR. Severability Clause.** The provisions of this ordinance are  
9    severable. In the event any provision of this ordinance is determined to be invalid, the remaining  
10   provisions shall not be affected thereby.

11           **SECTION FIVE. Effective Date.** The provisions of this ordinance shall become  
12   effective on February 1, 2016, after its passage and approval by the mayor.

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**Board Bill No. 109**

**Alderman Shane Cohn, Alderman John Coatar**

**Sponsored by: Alderman Scott Ogilvie,**

# Exhibit B

6/16/2015

St. Louis, MO Code of Ordinances

## 26.80.060 - Home occupations.

Notwithstanding any other provision of this zoning code, no home occupation shall be a permitted use unless it complies with the following:

- A. No home occupation shall be permitted that:
  - 1. Changes the outside appearance of the dwelling or is visible from the street;
  - 2. Generates traffic, parking, sewerage, or water use in excess of what is normal in the residential neighborhood;
  - 3. Creates a hazard to person or property, results in electrical interference, or becomes a nuisance;
  - 4. Results in outside storage or display of anything;
  - 5. Employs anyone who is not also a resident of the home;
  - 6. Displays a sign.
- B. The following are permitted home occupations provided that they do not violate any of the provisions of the previous paragraph:
  - 1. Dressmakers, seamstresses, tailors;
  - 2. Painters, sculptors, composers, or writers;
  - 3. Telephone answering;
  - 4. Home crafts, such as model making, rug weaving, lapidary work and cabinet making;
  - 5. Tutoring, limited to two (2) students at a time;
  - 6. Home cooking and preserving;
  - 7. Computer programming;
  - 8. Practice of their profession by architects, engineers, landscape architects, graphic artists, other designers, lawyers, insurance agents, brokers, and members of similar professions;
  - 9. Work by salesmen, sales representatives, or manufacturers representatives, only when no retail or wholesale sales are made or transacted on the premises for goods, products or materials, or displayed, warehoused or stored on the premises. Catalog sales for goods, products or materials not inventoried, warehoused or stored on the premises are permissible.
- C. The following are prohibited as home occupations:
  - 1. Animal clinics;
  - 2. Dancing schools;
  - 3. Doctor and dentist offices;
  - 4. Mortuaries;
  - 5. Stables or kennels;
  - 6. Private clubs;
  - 7. Repair shops;
  - 8. Restaurants;
  - 9. Tourist homes;

## 10. Automobile repair or paint shops.

- D. Any proposed home occupation that is neither specifically permitted by subsection B of this section nor specifically prohibited by subsection D of this section shall be considered a conditional use that may be allowed subject to the provision of Section 26.80.010 and, in addition, upon consideration of those standards contained in subsection A of this section.
- E. A fee, set forth in Chapter 26.98, shall be due at the time an application is made for a home occupancy waiver.

## 26.98.010 - Schedule enumerated.

The following nonrefundable fees shall be paid by the requesting party prior to any action being taken by the city in connection with zoning services:

Service	Fee
Front yard survey	\$25.00
Rezoning petition	\$250.00
Appeal to the Board of Adjustment	\$200.00
Conditional use	\$50.00
PUD (planned unit development)	\$500.00*
CUP (community unit plan)	\$500.00*
Amendment of a CUP	\$300.00
SPD (signage plan district)	\$300.00
Home occupancy waiver	\$20.00
Zoning letters	\$25.00
Signature verification of plat and petitions	\$475.00
Incidental business waivers	\$20.00
Form-based district application fee	\$500.00

\* \$500.00 for the first acre, \$250.00 for each additional acre or fraction thereof.

**8.07.042 - Home occupations—Registration in lieu of tax. Modified**

- A. Any person or taxpayer operating a home occupation that is permitted by and meets the requirements of the Zoning Code of the City of St. Louis may apply to the License Collector for designation and registration as a home occupation operator. Such designation and registration shall be granted for a one year period and be renewable each year on an annual basis if and only if the person or payer meets the following conditions: (1) The application is accompanied by: (a) a copy of a home occupation permit issued by the Zoning Administrator, (b) a copy of the E-234 Business Earnings Tax Form filed by the taxpayer with the Collector of Revenue for the preceding calendar year, (c) a written statement of clearance certifying that no current or past earnings and/or personal property taxes are due and payable to the City; (d) a statement from the Director of Revenue of the State of Missouri certifying that the applicant is not delinquent in the payment of any sales tax if the list of delinquent taxpayers provided the City by the Director of Revenue indicates a delinquency on said person, and (2) Said Form E-234 demonstrates that the taxpayer's gross earnings attributable to such home occupation for said preceding calendar year are less than twenty thousand dollars (\$20,000); provided, however, that taxpayers who were not required to file Form E-234 for the preceding calendar year due to the fact that their business did not then exist shall be eligible for designation as home occupation operators without filing the E-234 form for that *calendar year only*.
- B. Upon designation as a home occupation operator, the operator shall pay, in lieu of the graduated business license tax imposed by Ordinance 60643, approved January 8, 1988, a home occupation registration fee in the amount of fifty dollars (\$50.00). Upon payment of the registration fee, the operator shall be issued a certificate of registration by the License Collector that shall be maintained at the home occupation premises.
- C. Payment of the registration fee is due when the graduated business license tax is due.
- D. The License Collector is empowered to issue, adopt, promulgate and enforce forms, rules and regulations relating to any matter pertaining administration and enforcement of this section.